
Manitoba 

**Annual Report
1988**

The Municipal Board

THE MUNICIPAL BOARD OF MANITOBA

WINNIPEG, CANADA

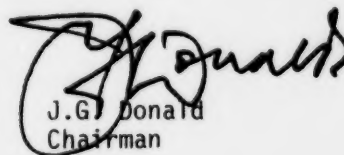
February 28, 1989

Honourable Glen Cummings
Minister of Municipal Affairs
Room 330 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Sir:

Pursuant to the provisions of Section 106 of The Municipal Board Act, the Board submits herewith its annual report for the year 1988.

Yours Respectfully


J.G. Donald
Chairman

THE MUNICIPAL BOARD
ANNUAL REPORT FOR THE YEAR ENDING
DECEMBER 31, 1988

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THE MUNICIPAL BOARD

Mr. James G. Donald, Chairman

Members whose terms expired December 31, 1988 or earlier.

Catherine M. Auld	Joyce Lawson
George Bates (deceased)	Everett Leader
Garth Berry	Andy Maharaj
Aimé Gauthier	Douglas Martindale
William Greenaway	Gordon Peitsch
Dorothy Hamilton	Kenneth Porter
Gunnar Helgason	Meir Serfaty
William John Hicks	Edward Swain
H. Jany Keenan	

Members whose terms expire December 31, 1989.

Jacqueline Ash	Cathy Marynewich
Richard Borotsik	Carl Pitura
Christine D. Heywood	Jake Reimer
John Donald McNairnay, Q.C.	Russell Secord
Rene Maillard	D.A. Yanofsky, O.C., Q.C.

OFFICERS

Secretary..... Mr. R.G. Clarke
Assistant Secretary..... Mrs. I. Hinks
* Assistant Secretary..... Mr. B. Sheridan

* Mr. Sheridan is Secretary of the Surface Rights Board and acts for The Municipal Board on a part time basis.

CHAIRMAN'S REMARKS

The year 1988 has been a year of considerable change for The Municipal Board. Acting Chairman, Mr. Andrue Anstett, resigned from the position of Acting Chairman effective March 23, 1988 to be replaced by Mr. John D. McNairnay, Q.C. Mr. McNairnay continued in this capacity until appointment of the writer as Chairman effective October 1, 1988.

Also, in the first week of October, 1988, the Board moved from its premises on the 12th Floor of the Woodsworth Building to new facilities at 408 - 800 Portage Avenue. By the end of 1988, Board members and staff had adjusted to the changes and were preparing for the challenges of 1989.

One challenge to be faced in 1989 relates to the large number of assessment appeals being received from decisions of The City of Winnipeg Board of Revision. On January 1, 1988, 46 such appeals were outstanding. During 1988 an additional 160 appeals were filed with the Board whereas only 107 such appeals were heard and disposed of by the Board during 1988. As a result, the number of City of Winnipeg appeals outstanding at the end of 1988 has risen to 99 (page 29). Efforts to substantially increase the number of hearings are limited by the availability of City Assessors who can appear at Board hearings as well as the number of Board members and support staff. The situation is being carefully monitored and will be treated as a primary concern in 1989. Other proceedings before the Board are continuing at a normal pace and are not being unduly affected by The City of Winnipeg backlog.

The overall activities of the Board for 1988 are summarized on page 13, with more detailed summaries, based on individual statutory authorities, appearing on the subsequent pages.

A major responsibility of the Board is the review and authorization of capital borrowing by local authorities. The details of individual borrowing by-laws authorized by the Board are set out on pages 33 to 39. Comparison of 1988 with 1987 authorized borrowing is summarized, as follows:

<u>Municipal *</u>	<u>1987</u>	<u>1988</u>	<u>Increase (Decrease)</u>
No. of Applications	86	83	(3)
No. of Municipalities	37	45	8
Amount of Borrowing Authorized	\$7,723,371.12	\$28,294,414.21	366.35%
Amount of Debentures Issued	\$6,082,439.44	\$5,859,577.62	(3.66%)

* Does not include The City of Winnipeg.

The significantly higher amount of authorized borrowing in 1988 can be attributed to the larger projects involved.

Interest rates in 1988 were substantially higher than in 1987; the average rate for a 20 year debenture being 11.25% in 1988 as compared to 9.70% in 1987. The experience in late 1988 indicates that the higher borrowing costs for municipalities will continue into 1989.

The manner of marketing the municipal debentures issued in 1988 as compared to 1987 is set out, as follows:

	<u>1987</u>	<u>1988</u>
Fiscal Agent Sales	\$ -	\$ -
Local Municipal Sales:		
- Credit Unions	2,160,180.00	23,933.86
- Public	80,068.29	897,947.00
Municipal Reserve Funds	358,758.38	650,339.34
Minister of Finance	<u>3,483,432.77</u>	<u>4,287,357.43</u>
	<u>\$6,082,439.44</u>	<u>\$5,859,577.63</u>
	=====	=====

Even though authorized borrowing increased in 1988, the amount of debentures issued actually decreased. The Minister of Finance continues to be the dominant purchaser at an average interest rate of 11.25%. It is also noted that purchases from a municipality's reserve fund and by the public has increased substantially, and that purchases by credit unions have decreased sharply in 1988. This is not, at this time, considered to be indicative of any trend.

The following represents a 1988 to 1987 comparison of the average interest rate, weighted according to amount of principal involved, for each class of purchaser:

Weighted Average Interest Rate		
<u>Purchaser</u>	<u>1987</u>	<u>1988</u>
Local Municipal Sales:		
- Credit Unions	9.56%	11.50%
- Public	10.08%	11.29%
Municipal Reserve Funds	9.45%	11.18%
Minister of Finance	<u>9.80%</u>	<u>11.25%</u>
	9.70%	11.25%
	=====	=====

In conclusion I wish to thank the members of the Board for their co-operation and support. I must also express my appreciation to Board staff for their continuing contribution to the success of the Board in carrying out its mandate.

Jim Donald
Chairman

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

CONSOLIDATED SUMMARY OF 1988 ACTIVITY

This represents a summary of all applications, appeals and petitions dealt with by the Board in 1988. (It consolidates all activities summarized on pages 15 to 30).

Applications and Appeals Outstanding as at January 1, 1988	108
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New Applications and Appeals Received in 1988	<u>436</u>
--	------------

544

Applications and Appeals Disposed of in 1988:

Applications Approved and Appeals Allowed	254
--	-----

Applications Rejected and Appeals Dismissed	98
--	----

Reports and Recommendations Submitted to the Minister	9
--	---

Applications and/or Appeals Withdrawn and Closed by Minute	<u>30</u>	391
--	-----------	-----

Applications and Appeals Outstanding as at December 31, 1988	<u>153</u> =====
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SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE HEALTH SERVICES ACT, Sections 41 and 42

Applications for approval of a "scheme" and authorization of the borrowing of money by municipalities included in a hospital district as required by a "scheme":

**Applications Outstanding as at
January 1, 1988**

--

Applications Received in 1988

1

1

Applications Disposed of in 1988:

Applications Approved 1

Applications Rejected --

**Applications Withdrawn
and/or Closed by Minute --**

1

**Applications Outstanding as at
December 31, 1988**

0

====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL ACT, Section 20 et seq

Petitions for the alteration of the boundaries of a City, Town, Village or Rural Municipality filed with the Minister and referred to the Board for report and recommendations:

Applications Outstanding as at January 1, 1988		1
Applications Received in 1988		<u>1</u>
		2
Applications Disposed of in 1988:		
Report and Recommendations Submitted to the Minister	2	
Applications Withdrawn and/or Closed by Minute	<u>--</u>	2
		<u> </u>
Applications Outstanding as at December 31, 1988		<u>0</u> ====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL ACT, Sections 459 et seq and 621 et seq

Applications for approval of Capital Borrowing By-laws (objections recorded):

Applications Outstanding as at January 1, 1988		4
Applications Received in 1988		<u>6</u>
		10
Applications Disposed of in 1988:		
Applications Approved	8	
Applications Rejected	--	
Applications Withdrawn and/or Closed by Minute	<u>1</u>	9
		<u> </u>
Applications Outstanding as at December 31, 1988		<u>1</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL ACT, Sections 459 et seq, 621 et seq, 190(5),
639(1), 672(1) and 203(2)(c)

Applications for approval of Capital Borrowing By-laws and other
miscellaneous By-laws (no objections recorded):

Applications Outstanding as at January 1, 1988		--
Applications Received in 1988		<u>172</u>
		172
Applications Disposed of in 1988:		
Applications Approved	164	
Applications Rejected	4	
Applications Withdrawn and/or Closed by Minute	<u>2</u>	170
Applications Outstanding as at December 31, 1988		<u>2</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL ASSESSMENT ACT, Section 56

Appeals respecting the assessment of property (not including The City of Winnipeg - see page 29):

Appeals Outstanding as at January 1, 1988		28
* Appeals Received in 1988		<u>45</u>
		73
Appeals Disposed of in 1988:		
** Appeals Allowed	24	
Appeals Dismissed	11	
Appeals Withdrawn and/or Closed by Minute	<u>7</u>	42
Appeals Outstanding as at December 31, 1988		<u>31</u> =====

* Includes appeals submitted by the assessor as well as a ratepayer.

** Includes all appeals where the assessment has been raised or lowered, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL BOARD ACT, Section 46(3)

Applications to review, rescind, change, alter, or vary a decision
or order made by the Board:

Applications Outstanding as at January 1, 1988		1
Applications Received in 1988		<u>1</u>
		2
Applications Disposed of in 1988:		
Applications Granted	2	
Applications Rejected	--	
Applications Withdrawn and/or Closed by Minute	<u>--</u>	2
		<u> </u>
Applications Outstanding as at December 31, 1988		<u>0</u> ====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL BOARD ACT, Section 95(1)

Applications for cancellation of plans of subdivision:

Applications Outstanding as at January 1, 1988		3
Applications Received in 1988		<u>2</u>
		5
Applications Disposed of in 1988:		
Applications Granted	2	
Applications Rejected	--	
Applications Withdrawn and/or Closed by Minute	<u>1</u>	3
		<u> </u>
Applications Outstanding as at December 31, 1988		<u>2</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE MUNICIPAL BOARD ACT, Section 104(1)

Applications to vary, cancel, or substitute a building restriction caveat:

Applications Outstanding as at January 1, 1988	--
Applications Received in 1988	<u>2</u>
	2
Applications Disposed of in 1988:	
Applications Granted	2
Applications Rejected	--
Applications Withdrawn and/or Closed by Minute	<u>--</u>
	2
Applications Outstanding as at December 31, 1988	<u>0</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PLANNING ACT, Section 12(2)

Applications for the establishment of Planning Districts filed with the Minister and referred to the Board:

Applications Outstanding as at January 1, 1988		3
Applications Received in 1988		<u>--</u>
		3
Applications Disposed of in 1988:		
Report and Recommendations Submitted to the Minister	2	
Applications Withdrawn and/or Closed by Minute	<u>1</u>	3
		<u> </u>
Applications Outstanding as at December 31, 1988		0
		====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PLANNING ACT, Section 17(3)

Applications for change of boundaries and dissolution of a Planning District filed with the Minister and referred to the Board:

Applications Outstanding as at January 1, 1988		1
Applications Received in 1988		<u>1</u>
		2
Applications Disposed of in 1988:		
Report and Recommendations Submitted to the Minister	2	
Applications Withdrawn and/or Closed by Minute	<u>--</u>	2
		<u> </u>
Applications Outstanding as at December 31, 1988		0
		====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PLANNING ACT, Sections 30(6) and 33

Objections to a by-law to adopt and/or amend a Development Plan
filed with the Minister and referred to the Board:

Applications Outstanding as at January 1, 1988		2
Applications Received in 1988		<u>1</u>
		3
Applications Disposed of in 1988:		
Report and Recommendations Submitted to the Minister	3	
Applications Withdrawn and/or Closed by Minute	<u>--</u>	3
Applications Outstanding as at December 31, 1988		<u>0</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PLANNING ACT, Section 48

Applications for approval of Zoning By-laws (objections filed):

Applications Outstanding as at January 1, 1988	1
Applications Received in 1988	<u>8</u>
	9

Applications Disposed of in 1988:

Applications Approved	3	
Applications Rejected	1	
Applications Withdrawn and/or Closed by Minute	<u>1</u>	5
Applications Outstanding as at December 31, 1988		<u>4</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PLANNING ACT, Section 68

Appeals from the decision of the Approving Authority (subdivision of land):

Appeals Outstanding as at January 1, 1988	17
Appeals Received in 1988	<u>32</u>
	49

Appeals Disposed of in 1988:

Appeals Allowed	5	
Appeals Dismissed	20	
Appeals Withdrawn and/or Closed by Minute	<u>10</u>	35
Appeals Outstanding as at December 31, 1988		14
		====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE PUBLIC LIBRARIES ACT, Sections 9 and 22

Applications for the approval of municipal by-laws establishing municipal public libraries and regional libraries:

Applications Outstanding as at January 1, 1988	--	
Applications Received in 1988	<u>4</u>	
	4	
Applications Disposed of in 1988:		
Applications Approved	4	
Applications Rejected	--	
Applications Withdrawn and/or Closed by Minute	<u>--</u>	4
		<u>4</u>
Applications Outstanding as at December 31, 1988		<u>0</u> =====

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE CITY OF WINNIPEG ACT, Section 186

Appeals respecting the assessment of property within The City of Winnipeg (heard pursuant to Section 56 of The Municipal Assessment Act):

Appeals Outstanding as at January 1, 1988	46
--	----

* Appeals Received in 1988	<u>160</u>
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206

Appeals Disposed of in 1988:

** Appeals Allowed	39
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Appeals Dismissed	61
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Appeals Withdrawn and/or Closed by Minute	<u>7</u>	107
--	----------	-----

Appeals Outstanding as at December 31, 1988	<u>99</u> =====
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* Includes appeals submitted by the assessor as well as a ratepayer.

** Includes all appeals where the assessment has been raised or lowered, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS, ETC. - 1988

THE CITY OF WINNIPEG ACT, Section 385(2)

Appeals against the decision of the Board of Appeal with respect to Local Improvement Levies:

Appeals Outstanding as at January 1, 1988		1
Appeals Received in 1988		<u>--</u>
		1
Appeals Disposed of in 1988:		
Appeals Allowed	--	
Appeals Dismissed	1	
Appeals Withdrawn and/or Closed by Minute	<u>--</u>	1
		<u> </u>
Appeals Outstanding as at December 31, 1988		<u>0</u> =====

REVENUE
(FOR THE 12 MONTH PERIOD ENDING
DECEMBER 31, 1988)

Net fees totalling \$12,740.81 were received by the Board in accordance with the tariff of fees. These were collected in respect to procedures under the following statutes:

	<u>1987</u>	<u>1988</u>
The Municipal Act.....	\$ 7,907.36	\$ 9,314.41
The Municipal Assessment Act.....	90.00	250.00
The Planning Act.....	5,384.00	3,230.00
Miscellaneous Acts.....	38.15	66.40
TOTAL REVENUE.....	\$13,419.51	\$12,860.81
Less Refunds..... (The Planning Act)	120.00	120.00
NET REVENUE.....	\$13,299.51	\$12,740.81

(The foregoing statement is unaudited.)

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
Argyle, R.M.	F 179/88	120,000.00	12	20	Water Supply Pipeline
Birtle, Town	F 23/88	120,000.00	12	20	Water Line Replacements
Brandon, City	F 104/88	14,000,000.00	10	20	Upgrade Sewage System
Carberry, Town	F 130/88	160,000.00	11 3/8	15	Sewer Extensions
Carman, Town	F 141/88	130,000.00	10	15	Base, Curb, Paving
Cartier, R.M.	F 70/88	140,000.00	11	20	Bridge & Renovate Office
Cartier, R.M.	F 157/88	225,000.00	11 1/2	20	Renew Water Mains
Crystal City, Village	F 103/88	25,000.00	11	20	Upgrade Sewage Lift Station
Crystal City, Village	F 160/88	25,000.00	12	5	Purchase Building
Dauphin, Town	F 71/88	95,995.00	10 1/2	10	Paving, Curb & Gutter
Dauphin, Town	F 128/88	111,630.00	10 1/2	10	Storm Drain
Deloraine, Town	F 13/88	4,616.50	11 1/2	10	Increase Borrowing

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
Deloraine, Town	F 82/88	30,000.00	12	5	Sidewalks & Drainage
Edward, R.M.	F 111/88	45,000.00	11	15	Upgrade Water Supply
Elkhorn, Village	F 146/88	30,000.00	8	2	Sewer Extensions
Emerson, Town	F 102/88	200,000.00	11 3/4	15	Fire Hall
Erickson, Village	F 142/88	15,000.00	11 5/8	10	Water & Sewer Extensions
Flin Flon, City	F 133/88	1,000,000.00	11 5/8	15	Paving
Gilbert Plains, Village	F 7/88	117,329.00	11	20	Lagoon/ M.W.S.B.
Gilbert Plains, Village	F 99/88	68,000.00	11	20	Upgrade Water Plant
Gladstone, Town	F 148/88	50,000.00	11 1/2	20	Replace Water Mains
Grey, R.M.	F 117/88	15,000.00	10 7/8	5	Water & Sewer Extensions
Hanover, R.M.	F 138/88	325,000.00	11 1/4	10	Paving - Blumenort
Hanover, R.M.	F 139/88	90,000.00	11 1/4	10	Arena - Mitchell
Hanover, R.M.	F 158/88	27,000.00	11 1/4	10	Sewer Extension- Blumenort

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
MacGregor, V.	F 64/88	117,500.00	10 1/2	9	Paving
MacGregor, V.	F 163/88	5,500.00	11 7/8	9	Increase Borrowing
Melita, T.	F 126/88	27,000.00	12	20	Water & Sewer Extensions
Minnedosa, T.	F 73/88	35,000.00	8	10	Water & Sewer Extensions
Minnedosa, T.	F 140/88	100,000.00	6	5	Paving
Morden, Town	F 33/88	5,224.22	11	8	Increase Borrowing
Morden, Town	F 81/88	194,100.00	11	5	Paving
Morden, Town	F 177/88	25,000.00	12	10	Paving
Morden, Town	F 178/88	57,000.00	12	10	Paving
Neepawa, Town	F 20/88	35,000.00	10 7/8	15	Increase Borrowing
Niverville, V.	F 76/88	160,000.00	11 1/8	15	New Municipal Shed
Portage la Prairie, R.M.	F 98/88	176,187.00	11 1/8	20	Upgrade Water & Sewer System
Portage la Prairie, C.	F 143/88	960,000.00	11 1/2	15	Water & Sewer Forcemains
Powerview, V.	F 147/88	120,000.00	11 1/2	20	Paving
Rosburn, V.	F 100/88	50,000.00	10 5/8	7	Seal Coat Streets

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
Ste. Anne, V.	F 168/88	130,000.00	12	15	Sewer Extension
Selkirk, Town	F 149/88	83,550.00	13	3	Boulevards
Selkirk, Town	F 150/88	3,500.00	13	3	Boulevards
Shoal Lake, V.	F 74/88	80,773.00	10 5/8	10	Water Main Replacements
Shoal Lake, V.	F 75/88	88,849.00	10 5/8	10	Lagoon Expansion
Shoal Lake, V.	F 145/88	9,822.00	10	10	Paving
Somerset, Village	F 127/88	150,000.00	11 3/8	7	Paving
Steinbach, Town	F 78/88	150,000.00	12	10	Sidewalks
Steinbach, Town	F 79/88	27,000.00	12	10	Backlane Paving
Steinbach, Town	F 80/88	160,000.00	12	10	Base & Paving
Steinbach, Town	F 93/88	35,000.00	12	3	Base & Gravel
Steinbach, Town	F 94/88	55,000.00	12	10	Paving
Steinbach, Town	F 95/88	25,000.00	12	10	Paving
Steinbach, Town	F 96/88	185,000.00	12	10	Paving
Steinbach, Town	F 97/88	50,000.00	12	5	Sidewalk/ Bicycle Path
Steinbach, Town	F 105/88	25,000.00	11	5	Water & Sewer Connections

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
Steinbach, Town	F 106/88	275,000.00	11	10	Water & Sewer Mains
Steinbach, Town	F 107/88	54,500.00	12	10	Base & Asphalt Paving
Steinbach, Town	F 108/88	10,000.00	12	5	Water & Sewer Connections
Steinbach, Town	F 109/88	30,000.00	12	10	Water & Sewer Mains
Steinbach, Town	F 110/88	3,500.00	12	5	Street Lighting
Steinbach, Town	F 161/88	250,000.00	12	10	Street Repair/ Paving
Swan River, Town	F 62/88	120,000.00	12	5	Sidewalks, Street Paving
Swan River, Town	F 63/88	125,000.00	12	10	Water & Sewer Line Renewals
Swan River, Town	F 83/88	70,000.00	11	5	Addition to Civic Offices
Swan River, Town	F 162/88	45,000.00	12	5	Arena Repairs
The Pas, Town	F 144/88	281,215.49	11 1/4	8	Purchase Machinery
Thompson, R.M.	F 65/88	160,000.00	9	3	Paving

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1988

<u>Local Authority</u>	<u>Order No.</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
Viriden, Town	F 115/88	25,000.00	11	5	Water & Sewer Extensions
Viriden, Town	F 116/88	150,000.00	11	5	Paving & Bridge
Winkler, Town	F 39/88	(161,500.00)	-	-	Reduce Authority
Winkler, Town	F 40/88	(48,500.00)	-	-	Reduce Authority
Winkler, Town	F 151/88	3,300,000.00	12	15	Upgrade Water Treatment
Woodlands, R.M.	F 67/88	387,690.00	11	20	Sewer System - (U.V.D. Warren)

\$28,294,414.21

NOTE: Re: "Rate %" - the rate shown is an interim estimate of the debenture rate and is subject to change when the debenture is issued.